

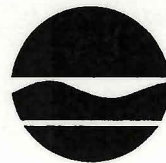
New York State Department of Environmental Conservation

Division of Air Resources, Region 3

21 South Putt Corners Road, New Paltz, NY 12561-1696

Phone: (845) 256-3045 FAX: (845) 255-0716

Website: www.dec.state.ny.us



Erin M. Crotty
Commissioner

March 19, 2002

MARINA CUBIAS-CASTRO
ENVIRONMENTAL ENGINEER
NEPERA INC
41 ARDEN HOUSE ROAD
HARRIMAN NY 10926

**RE: Final Title V Air Facility Permit
Nepera, Inc.
DEC ID#3-3358-00045/00127**

Dear Ms. Cubias-Castro:

Enclosed is your Final Title V Air Facility Permit for Nepera, Inc. This permit is valid for only those activities expressly authorized therein; activities conducted beyond the scope of the permit may be considered a violation of law and be subject to appropriate enforcement action. Any future activities which are not reflected in the respective permits will result in the need for a permit modification.

Please note the expiration date of the permit. Applications for permit renewal should be made well in advance of the expiration date.

The DEC Permit ID and Facility ID numbers noted on the top of the first page of your permit should be referenced on all related correspondence and on any future applications for permits associated with the facility.

If you have any questions, please do not hesitate to contact me or Ms. Maryanne O'Connor of my staff at (845) 256-3058.

Sincerely,

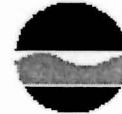
Robert J. Stanton, P.E.
Regional Air Pollution Control Engineer

RJS/adm
Enclosure

cc: (w/enclosure)
S. Riva, EPA Region II
M. O'Connor, P.E.

neperafinaltv

New York State Department of Environmental Conservation
Facility DEC ID: 3335800045



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 3-3358-00045/00127
Effective Date: 03/19/2002 Expiration Date: 03/19/2007

Permit Issued To: NEPERA INC
41 ARDEN HOUSE RD
HARRIMAN, NY 10926

Contact: NEPERA INC
41 ARDEN HOUSE RD
HARRIMAN, NY 10926

Facility: NEPERA INC
41 ARDEN HOUSE ROAD
HARRIMAN, NY 10926

Contact: NEPERA INC
41 ARDEN HOUSE RD
HARRIMAN, NY 10926

Description:

Nepera is a Chemical manufacturing facility located on Route 17 in the Village of Harriman in lower Orange County of New York State. The facility has been in existence since 1942. It produces, through the use of blending raw materials such as Acetaldehyde, Formaldehyde, Ammonia, Benzene, Alpha Picoline, Beta Picoline in distillation units and high temp reactors, products such as Pyridine and its derivatives, Alkyl Pyridine, 2 Cyanopyridine, 3 Cyanopyridine. Pyridine is used as an intermediate product in the manufacture of Agrochemicals and Pharmaceuticals. 3 Cyanopyridine is further reacted to produce Niacinamide (Vitamin B3) which is used in Human and Animal foods. Raw materials and finished products are stored in above ground storage tanks or drums. A plant wide fumes vent system is in place to control odors from the manufacturing process.

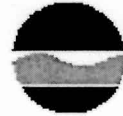
Nepera, Inc. generates many types of solid, liquid and gaseous wastes during various stages of its numerous manufacturing processes. The vast majority consists of waste water and fumes which are collected and sent to their incinerator. In the incinerator, the waste products are burned at very high temperatures which destroy all organic chemicals. The system has been further improved to ensure that the burning efficiency level in the incinerator remains at or above 99.99% even under peak loading conditions. Operating temperature is approximately 1700 degrees Fahrenheit.

The facility is subject to the following State and Federal Regulations 6NYCRR Parts 200, 201, 202, 211, 212, 225, 227, 233, 236, 40 CFR 60 VV, 40 CFR 61 FF and 40 CFR 63 EEE.

The facility is major for Nitrogen Oxides (NOx), Sulfur Dioxide (SO2) and particulates.

FINAL

New York State Department of Environmental Conservation
Facility DEC ID: 3335800045



The Standard Industrial Classification Code for this facility is 2865 - Cyclic Crudes and Intermediates.

Processes at the facility include: three boilers (1) capable of burning #6 fuel oil or gas this boiler is rated at 31.4 mm BTU/hr, (2) capable of burning #2 fuel oil or gas this boiler is rated at 81.6mm BTU/hr and (3) burns gas this boiler is rated at 26.4mm BTU/hr; a Hazardous Waste Incinerator; a back up fume incinerator; storage tanks; transfer unit reactors; mixers; distillation and packaging.

Exempt sources at the facility include: combustion units less than 10 mm BTU/hr, emergency generators, non contact cooling towers, fuel oil storage tanks and laboratory and research operations.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: ROBERT J. STANTON
21 SOUTH PUTT CORNERS ROAD
NEW PALTZ, NY 12561-1696

Authorized Signature:

A handwritten signature in black ink, appearing to read "Robert J. Stanton", written over a horizontal line.

Date: 03/19/2002



Notification of Other Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's undertaking of activities or operation and maintenance of the facility or facilities authorized by the permit in compliance or non compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent acts.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



PAGE LOCATION OF CONDITIONS

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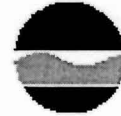
DEC GENERAL CONDITIONS

General Provisions

- 2 Facility Inspection by the Department
- 2 Relationship of this Permit to Other Department Orders and Determinations
- 2 Applications for Permit Renewals and Modifications
- 2 Permit Modifications, Suspensions and Revocations by the Department

Facility Level

- 3 Submission of Applications for Permit Modification or Renewal-REGION 3 HEADQUARTERS



DEC GENERAL CONDITIONS

****** General Provisions ******

For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305.

Item 1.1:

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

Item 3.1:

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Condition 4: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

New York State Department of Environmental Conservation
Facility DEC ID: 3335800045



Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

****** Facility Level ******

Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 3 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:

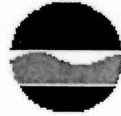
Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 3 Headquarters
Division of Environmental Permits
21 South Putt Corners Road
New Paltz, NY 12561-1696
(845) 256-3054

New York State Department of Environmental Conservation

Permit ID: 3-3358-00045/00127

Facility DEC ID: 3335800045



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: NEPERA INC

41 ARDEN HOUSE RD
HARRIMAN, NY 10926

Contact: NEPERA INC

41 ARDEN HOUSE RD
HARRIMAN, NY 10926

Facility:

NEPERA INC
41 ARDEN HOUSE ROAD
HARRIMAN, NY 10926

Contact: NEPERA INC

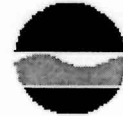
41 ARDEN HOUSE RD
HARRIMAN, NY 10926

Authorized Activity By Standard Industrial Classification Code:

2833 - MEDICINALS AND BOTANICALS
2865 - CYCLIC CRUDES AND INTERMEDIATE
2869 - INDUSTRIAL ORGANIC CHEMICALS, NEC

Permit Effective Date: 03/19/2002

Permit Expiration Date: 03/19/2007



PAGE LOCATION OF CONDITIONS

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FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

13	1 Sealing
13	2 Acceptable ambient air quality
13	3 Maintenance of equipment
14	4 Unpermitted Emission Sources
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15	8 Public Access to Recordkeeping for Title V facilities
15	9 Proof of Eligibility
16	10 Proof of Eligibility
16	11 Applicable Criteria, Limits, Terms, Conditions and Standards
16	12 Cessation or Reduction of Permitted Activity Not a Defense
17	13 Compliance Requirements
18	14 Federally-Enforceable Requirements
18	15 Fees
18	16 Monitoring, Related Recordkeeping and Reporting Requirements
18	17 Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements
19	18 Permit Shield
19	19 Property Rights
19	20 Reopening for Cause
20	21 Right to Inspect
21	22 Severability
21	23 Emission Unit Definition
22	24 Compliance Certification
24	25 Compliance Certification
26	26 Permit Exclusion Provisions
27	27 Non Applicable requirements
27	28 Required emissions tests
27	29 Compliance Certification
28	30 Recordkeeping requirements
28	31 Visible emissions limited.
28	32 Open Fires Prohibited at Industrial and Commercial Sites
29	33 Compliance Certification
29	34 Compliance Certification
30	35 Control requirements - monitoring
30	36 Compliance Certification
31	37 Repairing leaking components
31	38 Repair requirements - delay of repair
32	39 Repairs during process unit shutdown
32	40 Develop leak detection and repair plan - Part 236.5(a)
32	41 Implement leak detection and repair plan - part 236.5(b)

New York State Department of Environmental Conservation

Permit ID: 3-3358-00045/00127

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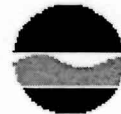


- 32 42 Inspection log requirements - Part 236.5(d)
- 33 43 Quarterly reports - Part 236.5(e)
- 33 44 Record information in a log book - Part 236.5(c)
- 33 45 Compressors
- 34 46 Delay of Repair
- 34 47 Compliance Certification
- 35 48 Compliance Certification
- 36 49 Compliance Certification
- 37 50 Compliance Certification
- 38 51 Compliance Certification
- 39 52 Compliance Certification
- 39 53 Compliance Certification
- 40 54 Compliance Certification
- 43 55 Recycling and Emissions Reduction
- Emission Unit Level**
- 43 56 Emission Point Definition By Emission Unit
- 49 57 Process Definition By Emission Unit
- 54 58 Process Permissible Emissions
- 55 59 Compliance Certification (EU=1-BYLER,Proc=101,ES=09002)
- 55 60 This is the optional condition for gas or distillate fired midsize
boilers. If they opt not to use this method then 227-2.4(c)(2)
applies.
- 56 61 This is the optional condition for residual fired midsize boilers.
If they opt not to use this method, then 227-2.4(c)(2) applies.
- 56 62 Compliance Certification (EU=1-BYLER,Proc=102,ES=09003)
- 57 63 Compliance Certification (EU=1-BYLER,Proc=103,ES=09004)
- 57 64 Compliance Certification (EU=1-BYLER,EP=09002)
- 58 65 Compliance Certification (EU=1-BYLER,EP=09003)
- 58 66 Compliance Certification (EU=1-BYLER,EP=09004)
- 59 67 Emissions from new emission sources and/or modifications
- 59 68 Compliance Certification (EU=3-PYRIN)
- 60 69 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 61 70 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 62 71 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 63 72 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 64 73 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 65 74 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 66 75 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 67 76 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 68 77 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 69 78 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 70 79 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 72 80 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 74 81 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 74 82 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 76 83 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 78 84 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)
- 81 85 Compliance Certification (EU=3-PYRIN,Proc=301,ES=61001)

New York State Department of Environmental Conservation

Permit ID: 3-3358-00045/00127

Facility DEC ID: 3335800045



- | | | | |
|----|----|--------------------------|--------------------------------|
| 82 | 86 | Compliance Certification | (EU=3-PYRIN,Proc=301,ES=61001) |
| 84 | 87 | Compliance Certification | (EU=3-PYRIN,Proc=301,ES=61001) |
| 85 | 88 | Compliance Certification | (EU=3-PYRIN,Proc=302,ES=13002) |
| 86 | 89 | Compliance Certification | (EU=3-PYRIN,Proc=302,ES=13002) |
| 87 | 90 | Compliance Certification | (EU=3-PYRIN,EP=13002) |
| 87 | 91 | Compliance Certification | (EU=3-PYRIN,EP=13002) |
| 88 | 92 | Compliance Certification | (EU=3-PYRIN,EP=13002,Proc=302) |
| 89 | 93 | Compliance Certification | (EU=5-ACTPY) |

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- | | | |
|----|----|--|
| 90 | 94 | Unavoidable noncompliance and violations |
| 91 | 95 | General Provisions |
| 92 | 96 | Contaminant List |
| 92 | 97 | Air pollution prohibited |



FEDERALLY ENFORCEABLE CONDITIONS
****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS
The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

Item A: Sealing - 6NYCRR Part 200.5

The commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification..

Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section

Item B: Acceptable Ambient Air Quality - 6NYCRR Part 200.6

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the commissioner shall specify the degree and/or method of emission control required.

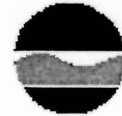
Item C: Maintenance of Equipment - 6NYCRR Part 200.7

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

New York State Department of Environmental Conservation

Permit ID: 3-3358-00045/00127

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Item D: Unpermitted Emission Sources - 6NYCRR Part 201-1.2

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: Emergency Defense - 6NYCRR Part 201-1.5

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

New York State Department of Environmental Conservation

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Facility DEC ID: 3335800045



Item F: Recycling and Salvage - 6NYCRR Part 201-1.7

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6NYCRR Part 201-1.8

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

Item H: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item I: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR Part 201-3.2(a)

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

New York State Department of Environmental Conservation

Permit ID: 3-3358-00045/00127

Facility DEC ID: 3335800045



Item K: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item L: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item M: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item N: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item O: Providing Information Upon Request - 6 NYCRR Part 201-6.5(a)(4)

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

Item P: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR

New York State Department of Environmental Conservation

Permit ID: 3-3358-00045/00127

Facility DEC ID: 3335800045



Part 201-6.5(a)(5)

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Item Q: Property Rights - 6 NYCRR Part 201-6.5(a)(6)

This permit does not convey any property rights of any sort or any exclusive privilege.

Item R: Fees - 6 NYCRR Part 201-6.5(a)(7)

The owner and/or operator of a stationary source shall pay fees to the department consistent with the fee schedule authorized by 6 NYCRR Subpart 482-2.

Item S: Right to Inspect - 6 NYCRR Part 201-6.5(a)(8)

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- iii. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Item T: Severability - 6 NYCRR Part 201-6.5(a)(9)

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

Item U: Progress Reports and Compliance Schedules - 6 NYCRR Part 201-6.5(d)(5)

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall



be submitted to the Department within 30 days after the end of a reporting period. Such progress reports shall contain the following:

- i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Item V: Off Permit Changes - 6 NYCRR Part 201-6.5(f)(6)

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the Administrator and the Department with written notification in advance of the proposed changes within a minimum of 7 days as required by 6 NYCRR §201-6.5(f)(6).

Item W: Permit Shield - 6 NYCRR Part 201-6.5(g)

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person



causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Item X: Reopening for Cause - 6 NYCRR Part 201-6.5(i)

This Title V permit shall be reopened and revised under any of the following circumstances:

i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.



Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item Y: Required Emission Tests - 6 NYCRR Part 202-1.1

An acceptable report of measured emissions shall be submitted, as may be required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Item Z: Visible Emissions Limited - 6 NYCRR Part 211.3

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

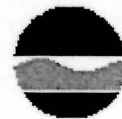
Item AA: Open Fires - 6 NYCRR Part 215

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Item BB: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item CC: Federally Enforceable Requirements - 40 CFR 70.6(b)



All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

Condition 1: Sealing
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 200.5

Item 1.1:

(a) The commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the commissioner issued in the case of the violation. Sealing means labelling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

(b) No person shall operate any air contamination source sealed by the commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

(c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section

Condition 2: Acceptable ambient air quality
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 200.6

Item 2.1:

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the commissioner shall specify the degree and/or method of emission control required.

Condition 3: Maintenance of equipment
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 200.7

Item 3.1:



Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Condition 4: Unpermitted Emission Sources
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 4.1:

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Condition 5: Emergency Defense
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-1.5

Item 5.1:

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

- (a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
 - (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
 - (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
 - (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.



- (b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.
- (c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

Condition 6: Recycling and Salvage
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 6.1:
Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Condition 7: Prohibition of Reintroduction of Collected Contaminants to the Air
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 7.1:
No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

Condition 8: Public Access to Recordkeeping for Title V facilities
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-1.10(b)

Item 8.1:
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Condition 9: Proof of Eligibility
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-3.2(a)

Item 9.1:
The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject

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to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Condition 10: Proof of Eligibility
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-3.3(a)

Item 10.1:

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Condition 11: Applicable Criteria, Limits, Terms, Conditions and Standards
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 11.1:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in the permit. This shall include:

- i. Any reporting requirements and operations under an accidental release plan, response plan, and compliance plan as approved as of the date of the permit issuance, or
- ii. Any support documents submitted as a part of the permit application for this facility as accepted and approved as of the date of permit issuance.

Any noncompliance with the federally-enforceable portions of this permit constitutes a violation of the federal Clean Air Act and will be grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

Item 11.2:

Any document, including reports, required by the federally-enforceable portions of this permit shall contain a certification by the responsible official for this facility as set forth in Section 201-6.3 that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

Condition 12: Cessation or Reduction of Permitted Activity Not a Defense
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

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Item 12.1:

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Condition 13: Compliance Requirements

Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 13.1:

The following information must be included in any required compliance monitoring records and reports:

- i. The date, place and time of sampling or measurements;
- ii. The date(s) analyses were performed;
- iii. The company or entity that performed the analyses;
- iv. The analytical techniques or methods used including quality assurance and quality control procedures if required;
- v. The results of such analyses including quality assurance data where required; and
- vi. The operating conditions as existing at the time of sampling or measurement;

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by the responsible official, consistent with Section 201-6.3 of Part 201.

Item 13.2:

The permittee shall comply with the approved compliance schedule for this permit if such a schedule is a part of this permit. Risk management plans must be submitted to the Administrator if required by Section 112(r) of the Clean Air Act for this facility.

Item 13.3:

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. Such progress reports shall contain the following:

- i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.



Condition 14: Federally-Enforceable Requirements
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 14.1:

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

Condition 15: Fees
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 15.1:

The permittee shall pay the required fees associated with this permit.

Condition 16: Monitoring, Related Recordkeeping and Reporting Requirements
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 16.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements. Records of all monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 17: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 17.1:

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not relieve the permittee from the requirement to comply with any condition contained in this permit.

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and

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reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

Condition 18: Permit Shield

Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 18.1:

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield. For those facilities for which a permit shield has been granted, compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Condition 19: Property Rights

Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 19.1:

This permit does not convey any property rights of any sort or any exclusive privilege.

Condition 20: Reopening for Cause

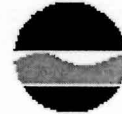
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

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Item 20.1:

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Item 20.2:

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Item 20.3:

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Condition 21: Right to Inspect

Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 21.1:

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- iii. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and



iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 22: Severability
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 22.1:

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

Condition 23: Emission Unit Definition
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 23.1:

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 1-BYLER

Emission Unit Description:

Two primary boilers (#6 and #2), and one secondary/back-up boiler (#4).

Building(s): 9

Item 23.2:

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 2-NIACN

Emission Unit Description:

Niacinamide process consisting of current process 201 and alternate process 202. The alternate process will be fully implemented in 2002.

Both the processes are based on cyanopyridine intermediates being manufactured elsewhere in the facility.

Building(s): 13
28
53

Item 23.3:

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 3-PYRIN

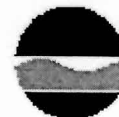
Emission Unit Description:

The processes associated with this unit are involved in the manufacture of pyridine and its derivatives. All the process exhausts from the unit operations, storage and transfer operations, and bulk storage are captured and ducted to the hazardous waste incineration

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unit (RCRA Subpart B permitted operation). The emission fumes are vented through a backup fume incinerator when the primary incinerator is not operational. The unit also includes a catalyst regeneration operation.

Building(s): 13
28
57
61
63

Item 23.4:

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 4-TANKS

Emission Unit Description:

This unit consists of storage tanks and intermediate vessels associated with the pyridine process. These tanks have direct atmospheric conservation vents. Some of the tanks associated with this unit are located on ground level pads (designated by Building 18, 32 and 44).

Building(s): 13
18
23
28
32
44
68

Item 23.5:

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 5-ACTPY

Emission Unit Description:

Pyridine hydrochloride process consisting of 501. This process is based on the reaction of pyridine and hydrogen chloride gas.

Condition 24: Compliance Certification

Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.5(c)(3)(ii)

Item 24.1:

The Compliance Certification activity will be performed for the Facility.

Item 24.2:

Compliance Certification shall include the following monitoring:



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

(1) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

(3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If any of the above conditions are met, the source must notify the permitting authority by telephone or facsimile based on the timetable listed in paragraphs (1) through (4) of this section. A written notice, certified by a responsible official consistent with 6 NYCRR



Part 201-6.3(d)(12), must be submitted within 10 working days of the occurrence. All deviations reported under paragraph (1) through (4) of this section must also be identified in the 6 month monitoring report required above.

If the permittee seeks to have a violation excused as provided in 201-1.4, the permittee shall report such violations as required under 201-1.4(b). However, in no case may reports of any deviation be on a less frequent basis than those described in paragraphs (1) through (4) above. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

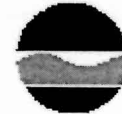
All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 25: Compliance Certification
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.5(e)

Item 25.1:



The Compliance Certification activity will be performed for the Facility.

Item 25.2:

Compliance Certification shall include the following monitoring:

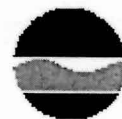
Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.
- iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

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USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866

The address for the RAPCE is as follows:

21 South Putt Corners Road
New Paltz, NY 12561-1696

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring
and Enforcement
625 Broadway
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2003.
Subsequent reports are due on the same day each year

Condition 26: Permit Exclusion Provisions
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.5(g)

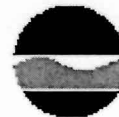
Item 26.1:

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR), and particularly any such enforcement action as may be authorized pursuant to 6 NYCRR 201-1.2 and 6 NYCRR 201-6.5(g).

The issuance of this permit by the Department and the receipt thereof by the Applicant does not supercede, revoke or rescind an order or modification thereof on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions or requirements contained in such order or modification thereof unless specifically intended by this permit.

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting the right of the

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Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting the right of the Department to pursue any claims for natural resource damages against the Applicant.

Condition 27: Non Applicable requirements
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.5(g)

Item 27.1:

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

40CFR 60-Kb.

Emission Unit: 4TANKS

Reason: Tanks 986 and 987 have been constructed after July 1984, but they are exempt from the Part because they have capacity between 75 and 151 meters cubed and store volatile liquids with vapor pressures less than 15.0 kPa (60.110b(c)).

Condition 28: Required emissions tests
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 28.1:

An acceptable report of measured emissions shall be submitted, as may be required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

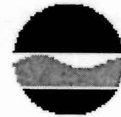
Condition 29: Compliance Certification
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 29.1:

The Compliance Certification activity will be performed for the Facility.

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Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

Condition 30: Recordkeeping requirements
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 30.1:

(a) The following records shall be maintained for at least five years:

(1) a copy of each emission statement submitted to the department; and

(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

Condition 31: Visible emissions limited.
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 211.3

Item 31.1:

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

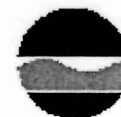
Condition 32: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 215.

Item 32.1:

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

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Condition 33: Compliance Certification
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 225-1.2(a)(2)

Item 33.1:

The Compliance Certification activity will be performed for the Facility.

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any distillate oil fuel which contains sulfur in a quantity exceeding the following limitation. Vendor certification will be used to demonstrate compliance.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME
(INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2003.

Subsequent reports are due every 12 calendar month(s).

Condition 34: Compliance Certification
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 225-1.2(a)(2)

Item 34.1:

The Compliance Certification activity will be performed for the Facility.

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any distillate oil fuel which contains sulfur in a quantity exceeding the following limitation. Vendor certification will be used to demonstrate compliance.

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Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.5 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME
(INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2003.
Subsequent reports are due every 12 calendar month(s).

Condition 35: Control requirements - monitoring
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 236.3(a)

Item 35.1:

Any owner or operator of a synthetic organic chemical manufacturing facility must monitor each of the following process unit components for leaks, on a quarterly schedule:

- (1) each pump in light liquid service;
- (2) each compressor in gas/vapor service;
- (3) each valve in light liquid service; and
- (4) each valve in gas/vapor service.

Condition 36: Compliance Certification
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 236.3(c)

Item 36.1:

The Compliance Certification activity will be performed for the Facility.

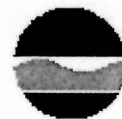
Item 36.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Any owner or operator of a synthetic organic chemical manufacturing facility must also comply with the following component standards:

- (1) Pumps in light liquid service must be visually inspected each calendar week for evidence of liquids dripping. Any leaks detected



during visual inspection must be repaired in accordance with Part 236.4.

(2) Pressure relief devices in gas/vapor service must be monitored for leaks within 5 days of an over-pressure release. Any leaks detected during monitoring must be repaired in accordance with Part 236.4.

(3) Open-ended valves or lines in gas/vapor or light liquid service must be sealed with either a second valve, blind flange, cap, or plug. The sealing device may only be removed while a sample is being taken or during maintenance operations:

- (i) When a second valve is used, each open-ended line or valve equipped with a second valve shall be operated in such a manner that the valve on the process fluid end is closed before the second valve is closed, and
- (ii) When a double block-and-bleed system is used, the bleed valve or line may remain open only during operations that require venting of the line between the block valves, but shall be closed at all other times.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 37: Repairing leaking components
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 236.4(b)

Item 37.1:

Once a leaking component is identified, any owner or operator subject to this Part must:

- (1) affix a weather proof and readily visible tag to the leaking component bearing an identification number and the date the leak was detected. This tag must not be removed until the component is repaired and passes reinspection.
- (2) make an initial attempt to repair the leaking component within 5 days;
- (3) repair the leaking component as soon as practicable, but not later than 15 calendar days after the leak is detected; and
- (4) remonitor all leaking components within 48 hours after repairs have been completed.

Condition 38: Repair requirements - delay of repair
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 236.4(c)



Item 38.1:

Delay of repair of components as described in Part 236.4(b) will be allowed by the department provided an initial attempt to repair is made after which a decision is made by a duly authorized representative of the facility that replacement parts necessary to complete the repair are not available in time, or that repair of the leaking component is technically infeasible without a process unit shutdown. Repair of such a component must be completed during the next process unit shutdown and before subsequent start-up.

Condition 39: Repairs during process unit shutdown
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 236.4(d)

Item 39.1:

DEC may require the rescheduling of a planned process unit shutdown to an earlier date based on the number and severity of tagged leaks awaiting repair at shutdown. Before requiring a rescheduled shutdown, DEC shall consider the effect of the shutdown and shall so direct the source owner in writing to comply with the rescheduled shutdown. The source owner shall comply with DEC's directive, or shall request that a directed rescheduling of a planned process unit shutdown be reconsidered according to the procedures in this subdivision.

Condition 40: Develop leak detection and repair plan - Part 236.5(a)
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 236.5

Item 40.1:

The owner or operator of a synthetic organic chemical manufacturing facility subject to this Part must develop and conduct a leak detection and repair plan consistent with the provisions of this Part.

Condition 41: Implement leak detection and repair plan - part 236.5(b)
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 236.5

Item 41.1:

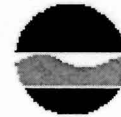
The owner or operator of a synthetic organic chemical manufacturing facility subject to this Part must have implemented a leak detection and repair plan by July 10, 1992. The plan must contain, as a minimum, a list of process components subject to the provisions, of this Part, a copy of the log book format, and the make and model of the monitoring equipment to be used.

Condition 42: Inspection log requirements - Part 236.5(d)
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 236.5

Item 42.1:

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A copy of the inspection log must be retained at the plant for a minimum of two years after the date on which the report for the inspection period was prepared, and must be made available to DEC upon request.

Condition 43: Quarterly reports - Part 236.5(e)
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 236.5

Item 43.1:

As of July 10, 1992, the owner or operator of a synthetic organic chemical manufacturing facility shall submit quarterly reports to DEC for the preceding quarterly monitoring period. These reports must be submitted within 15 days from the close of the quarter and shall contain the information listed in Part 236.5(e).

Condition 44: Record information in a log book - Part 236.5(c)
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 236.5

Item 44.1:

The owner or operator of a synthetic chemical manufacturing facility subject to this part must record the information listed in Part 236.5(c) in an inspection log for each leaking compound found.

Condition 45: Compressors
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV

Item 45.1:

Pursuant to §60.482-3, each compressor shall be equipped with a seal system that includes a barrier fluid system and that prevents leakage of VOC to the atmosphere, except compressors equipped with closed vent systems under paragraph 60.482-3(h) and compressors designated for no detectable emissions under paragraph 482-3(i). Each compressor seal system shall be :

- a) operated with the barrier fluid at a pressure that is greater than the stuffing box pressure; or
- b) equipped with a barrier fluid degassing reservoir that is connected by a closed vent system to a control device that complies with §60.482-10; or,
- c) equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.

Item 45.2: The barrier fluid system shall be in heavy liquid service or shall not be in VOC service.

Item 45.3: Each barrier system shall be equipped with a sensor that will detect failure of the seal system, the barrier fluid system, or both. Each sensor shall be checked daily or shall be equipped with an audible alarm, and the owner or operator shall determine, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier system, or both.

Item 45.4: If the sensor indicates failure of the the seal system, the barrier fluid system or both, a leak



is detected.

Item 45.5: When a leak is detected, it shall be repaired as soon as practicable but not later than 15 calendar days after it is detected, except as provided in §60.482-9 (Delay of Repair). A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

Condition 46: Delay of Repair
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV

Item 46.1:

Pursuant to §60.482-9, delay of repair of equipment for which leaks have been detected will be allowed if the repair is technically infeasible without a process unit shutdown. Repair of this equipment shall occur before the end of the next process unit shutdown.

Item 46.2:

Delay of repair of equipment will be allowed for equipment which is isolated from the process and which does not remain in VOC service.

Item 46.3:

Delay of repair for valves will be allowed if:

- a) the owner or operator demonstrates that emissions of purged material resulting from immediate repair are greater than the fugitive emissions likely to result from delay of repair, and
- b) when repair procedures are effected, the purged material is collected and destroyed or recovered in a control device complying with §60.482-10.

Item 46.4:

Delay of repair for pumps will be allowed if:

- a) repair requires the use of a dual mechanical seal system that includes a barrier fluid system, and
- b) repair is completed as soon as practicable, but not later than 6 months after the leak was detected.

Item 46.5:

Delay of repair beyond a process unit shutdown will be allowed for a valve, if valve assembly replacement is necessary during the process unit shutdown, valve assembly supplies have been depleted, and valve assembly supplies had been sufficiently stocked before the supplies were depleted. Delay of repair beyond the next process unit shutdown will not be allowed unless the next process unit shutdown occurs sooner than 6 months after the first process unit shutdown.

Condition 47: Compliance Certification
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV

Item 47.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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CAS No: 0NY998-00-0 VOC

Item 47.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE
PARAMETERS AS SURROGATE

Monitoring Description:

Any compressor designated for no detectable emissions under paragraph 60.482-3(i), as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs 60.482-3(a)-(h) if the compressor:

- 1) is demonstrated to be operating with no detectable emissions as indicated by an instrument reading less than 500 ppm above background as measured by the methods specified in §60.485(c), and
- 2) is tested for compliance with the 500 ppm limit upon designation, annually, and at other times requested by the Administrator.

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 500 parts per million (by volume)

Reference Test Method: Method 21

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD
INDICATED

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 10/18/2002 for the period 03/19/2002 through 09/18/2002

Condition 48: Compliance Certification

Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV

Item 48.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE
PARAMETERS AS SURROGATE

Monitoring Description:

- 1) Pursuant to §60.482-2, each pump in light liquid service shall be monitored monthly to detect leaks by the methods specified in §60.485(b), except pumps with dual mechanical seals under §482-2(d), pumps designated for no detectable emissions under §482-2(e), and

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pumps equipped with a closed vent system under §482-2(f). If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

2) Each pump in light liquid service shall be checked by visual inspection each calendar week for indications of liquids dripping from the pump seal. If there are any such indications, a leak is detected.

3) When a leak is detected it shall be repaired as soon as practicable, but no later than 15 calendar days after it is detected, except as provided in §60.482-9 (Delay of Repair). A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

Parameter Monitored: CONCENTRATION
Upper Permit Limit: 10000 parts per million (by volume)
Reference Test Method: Method 21
Monitoring Frequency: MONTHLY
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)
Initial Report Due: 10/18/2002 for the period 03/19/2002 through 09/18/2002

Condition 49: Compliance Certification
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV

Item 49.1:
The Compliance Certification activity will be performed for the Facility.

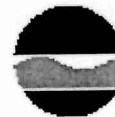
Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 49.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE
PARAMETERS AS SURROGATE

Monitoring Description:

1) Pursuant to §60.482-7, each valve in gas/vapor or light liquid service shall be monitored monthly by the methods specified in §60.485(b), except valves designated for no detectable emissions under §482-7(f), valves designated as unsafe to monitor under §482-7(g), and valves designated as difficult to monitor under §482-7(h). If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.



2) Any valve for which a leak is not detected for 2 successive months may be monitored the first month of every quarter, beginning with the next quarter, until a leak is detected. If a leak is detected, the valve shall be monitored monthly until a leak is not detected for 2 successive months.

3) When a leak is detected it shall be repaired as soon as practicable, but no later than 15 calendar days after it is detected, except as provided in §60.482-9 (Delay of Repair). A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 10000 parts per million (by volume)

Reference Test Method: Method 21

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 10/18/2002 for the period 03/19/2002 through 09/18/2002

Condition 50: Compliance Certification
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV

Item 50.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 50.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE
PARAMETERS AS SURROGATE

Monitoring Description:

1) Pursuant to §60.482-8, pumps and valves in heavy liquid service, pressure relief devices in heavy or light liquid service, and flanges and other connectors shall be monitored within 5 days by the methods specified in §60.485(b) if evidence of a potential leak is found by visual, audible, olfactory or any other detection method. If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

2) When a leak is detected it shall be repaired as soon as

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practicable, but no later than 15 calendar days after it is detected, except as provided in §60.482-9 (Delay of Repair). A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

Parameter Monitored: CONCENTRATION
Upper Permit Limit: 10000 parts per million (by volume)
Reference Test Method: Method 21
Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)
Initial Report Due: 10/18/2002 for the period 03/19/2002 through 09/18/2002

Condition 51: Compliance Certification
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV

Item 51.1:
The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 51.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE
PARAMETERS AS SURROGATE

Monitoring Description:

- 1) Pursuant to §60.482-4, except during pressure releases, each pressure relief device in gas/vapor service shall be operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the methods specified in §60.485(c).
- 2) No later than 5 calendar days after the pressure release, the pressure relief device shall be monitored to confirm the conditions of no detectable emissions as indicated by an instrument reading of less than 500 ppm above background, by the methods specified in §60.485(c).

Parameter Monitored: CONCENTRATION
Upper Permit Limit: 500 parts per million (by volume)
Reference Test Method: method 21
Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD

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INDICATED

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)
Initial Report Due: 10/18/2002 for the period 03/19/2002 through 09/18/2002

Condition 52: Compliance Certification
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV

Item 52.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE
PARAMETERS AS SURROGATE

Monitoring Description:

Any pump designated for no detectable emissions under paragraph 60.482-2(e), as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs 60.482-2(a), (c), and (d) if the pump:

- 1) Has no externally actuated shaft penetrating the pump housing,
- 2) is demonstrated to be operating with no detectable emissions as indicated by an instrument reading less than 500 ppm above background as measured by the methods specified in §60.485(c), and
- 3) is tested for compliance with the 500 ppm limit upon designation, annually, and at other times requested by the Administrator.

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 500 parts per million (by volume)

Reference Test Method: method 21

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD
INDICATED

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 10/18/2002 for the period 03/19/2002 through 09/18/2002

Condition 53: Compliance Certification
Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV

Item 53.1:

New York State Department of Environmental Conservation
Permit ID: 3-3358-00045/00127 Facility DEC ID: 3335800045



The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE
PARAMETERS AS SURROGATE

Monitoring Description:

Any valve designated for no detectable emissions under paragraph 60.482-7(f), as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs 60.482-7(a) if the valve:

- 1) Has no externally actuating mechanism in contact with the process fluid,
- 2) Is operated with emissions less than 500 ppm above background as measured by the methods specified in §60.485(c), and
- 3) Is tested for compliance with the 500 ppm limit upon designation, annually, and at other times requested by the Administrator.

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 500 parts per million (by volume)

Reference Test Method: method 21

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD
INDICATED

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 10/18/2002 for the period 03/19/2002 through 09/18/2002

Condition 54: Compliance Certification

Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 40CFR 61, NESHAP Subpart FF

Item 54.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000071-43-2 BENZENE

Item 54.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

New York State Department of Environmental Conservation

Permit ID: 3-3358-00045/00127

Facility DEC ID: 3335800045



c) Each owner or operator of a facility at which the total annual benzene quantity from facility waste is equal to or greater than 10 Mg/yr (11 ton/yr) shall manage and treat the facility waste as follows:

(1) For each waste stream that contains benzene, including (but not limited to) organic waste streams that contain less than 10 percent water and aqueous waste streams, even if the wastes are not discharged to an individual drain system, the owner or operator shall:

(i) Remove or destroy the benzene contained in the waste using a treatment process or wastewater treatment system that complies with the standards specified in § 61.348 of this subpart.

(ii) Comply with the standards specified in §§ 61.343 through 61.347 of this subpart for each waste management unit that receives or manages the waste stream prior to and during treatment of the waste stream in accordance with paragraph (c)(1)(i) of this section.

(iii) Each waste management unit used to manage or treat waste streams that will be recycled to a process shall comply with the standards specified in §§ 61.343 through 61.347. Once the waste stream is recycled to a process, including to a tank used for the storage of production process feed, product, or product intermediates, unless this tank is used primarily for the storage of wastes, the material is no longer subject to paragraph (c) of this section.

(d) As an alternative to the requirements specified in paragraphs (c) and (e) of this section, an owner or operator of a facility at which the total annual benzene quantity from facility waste is equal to or greater than 10 Mg/yr (11 ton/yr) as determined in paragraph (a) of this section may elect to manage and treat the facility waste as follows:

(1) The owner or operator shall manage and treat facility waste other than process wastewater in accordance with the requirements of paragraph (c)(1) of this section.

(2) The owner or operator shall manage and treat process wastewater in accordance with the following requirements:

(i) Process wastewater shall be treated to achieve a total annual benzene quantity from facility process wastewater less than 1 Mg/yr (1.1 ton/yr). Total annual benzene from facility process wastewater shall be determined by adding together the annual benzene quantity at the point of waste generation for each untreated process wastewater stream plus the annual benzene quantity exiting the treatment process



for each process wastewater stream treated in accordance with the requirements of paragraph (c)(1)(i) of this section.

(ii) Each treated process wastewater stream identified in paragraph (d)(2)(i) of this section shall be managed and treated in accordance with paragraph (c)(1) of this section.

(iii) Each untreated process wastewater stream identified in paragraph (d)(2)(i) of this section is exempt from the requirements of paragraph (c)(1) of this section.

(e) As an alternative to the requirements specified in paragraphs (c) and (d) of this section, an owner or operator of a facility at which the total annual benzene quantity from facility waste is equal to or greater than 10 Mg/yr (11 ton/yr) as determined in paragraph (a) of this section may elect to manage and treat the facility waste as follows:

(1) The owner or operator shall manage and treat facility waste with a flow-weighted annual average water content of less than 10 percent in accordance with the requirements of paragraph (c)(1) of this section; and

(2) The owner or operator shall manage and treat facility waste (including remediation and process unit turnaround waste) with a flow-weighted annual average water content of 10 percent or greater, on a volume basis as total water, and each waste stream that is mixed with water or wastes at any time such that the resulting mixture has an annual water content greater than 10 percent, in accordance with the following:

(i) The benzene quantity for the wastes described in paragraph (e)(2) of this section must be equal to or less than 6.0 Mg/yr (6.6 ton/yr), as determined in § 61.355(k). Wastes as described in paragraph (e)(2) of this section that are transferred offsite shall be included in the determination of benzene quantity as provided in § 61.355(k). The provisions of paragraph (f) of this section shall not apply to any owner or operator who elects to comply with the provisions of paragraph (e) of this section.

(ii) The determination of benzene quantity for each waste stream defined in paragraph (e)(2) of this section shall be made in accordance with § 61.355(k).

(f) Compliance with this subpart will be determined by review of facility records and results from tests and inspections using methods and procedures specified in § 61.355 of this subpart.

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Permit ID: 3-3358-00045/00127

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(g) Permission to use an alternative means of compliance to meet the requirements of §§ 61.342 through 61.352 of this subpart may be granted by the Administrator as provided in § 61.353 of this subpart.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 55: Recycling and Emissions Reduction

Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 55.1:

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVAC's in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR Part 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR Part 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR Part 82.161.
- d. Persons disposing of small appliances, MVAC's, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR Part 82.166. ("MVAC-like appliance as defined at 40 CFR Part 82.152)
- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR Part 82.156.
- f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82.166.

****** Emission Unit Level ******

Condition 56: Emission Point Definition By Emission Unit

Effective between the dates of 03/19/2002 and 03/19/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 56.1:

The following emission points are included in this permit for the cited Emission Unit: